

**Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research**



**Notice of Availability of Grant Funds (AGF)
for
FFY 2023 Traffic Safety Grant Program for State Government Agencies**

March 23, 2022

**Charles D. Baker
Governor**

**Karyn E. Polito
Lieutenant Governor**

**Terrence M. Reidy
Secretary**

**Kevin J. Stanton
Executive Director**

I. Introduction

The Office of Grants and Research (OGR) is pleased to make up to \$5 million in FFY 2023 National Highway Traffic Safety Administration (NHTSA) grant funding available to Massachusetts state government agencies. OGR is the State Administering Agency for NHTSA's traffic safety grants to reduce roadway crashes, injuries, fatalities, and associated economic losses in Massachusetts.

Applications must focus on addressing one or more of the following road safety priority areas:

- Alcohol and/or Drug-Impaired Driving
- Bicyclist Safety
- Child Passenger Safety
- Distracted Driving
- Drowsy Driving
- Motorcyclist Safety
- Older Drivers ≥ 65 years old
- Pedestrian Safety
- Seat Belt Usage
- Speeding/Aggressive Driving
- Younger Drivers ≤ 21 years old

Applicants must provide recent state data from 2019-Present, to justify the problem(s) that their project will address. National data can also be included, but problem identification must be primarily derived from Massachusetts data.

Funds will be awarded competitively to Massachusetts state government agencies qualified and legally authorized to provide the activities listed for them within this AGF or otherwise allowed under state law and regulation.

Agencies seeking funds for multiple projects MUST submit a separate Funding Request (Attachment A) and Budget (Attachment B) for each project. See page 10 for more submission details. These and other AGF-related documents are available at www.mass.gov/service-details/traffic-safety-grants.

This AGF does not apply to Traffic Records program proposals, including the RMV-FARS Program. An FFY 2023 Traffic Records AGF to fund traffic records-related activities will be released by OGR in mid-2022.

II. Background

OGR is required to submit a Highway Safety Plan (HSP) by July 1, 2022, to NHTSA that details how OGR proposes to administer traffic safety grant funding for the federal fiscal year (FFY) 2023 that will run from October 1, 2022, through September 30, 2023. Projects selected for funding due to this AGF process will be included in the FFY23 HSP. OGR expects to receive HSP approval from NHTSA by August 15, 2022; then, OGR will announce state agency awards and start contracting.

Funding for the projects awarded via this AGF will come from one or more of the following federal grant programs as established in Title 23, Chapter 4, and 23 CFR Part 1300 sections as follows:

- *402: Highway Safety Programs - Programs (1) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits, (2) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles, (3) to reduce deaths and injuries resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance, (4) to prevent crashes and reduce deaths and injuries resulting from crashes involving motor vehicles and motorcycles, (5) to reduce injuries and deaths resulting from crashes involving school buses, and (6) to reduce crashes resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles) and (7) to improve law enforcement services in motor vehicle crash prevention, traffic supervision, and post-crash procedures.*
- *405b: Occupant Protection Grants - This section establishes criteria, in accordance with 23 USC 405(b), for awarding grants to States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles.*
- *405d: Impaired Driving Countermeasures Grants - This section establishes criteria, in accordance with 23 USC 405(d), for awarding grants to States that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol, drugs, or the combination of alcohol and drugs*
- *405f: Motorcyclist safety grants - This section establishes criteria, in accordance with 23 USC 405(f), for awarding grants to States that adopt and implement effective programs to reduce the number of single-vehicle and multiple-vehicle crashes involving motorcyclists.*
- *405h: Non-motorized safety grants - This section establishes criteria, in accordance with 23 USC 405(h), for awarding grants to States for the purpose of decreasing pedestrian and bicyclist fatalities and injuries that result from crashes involving a motor vehicle.*

III. Key Dates

AGF POSTED	March 23, 2022
AGF QUESTIONS BY	April 6, 2022
AGF ANSWERS POSTED	April 8, 2022
DUE DATE	April 21, 2022 @ 4 PM EST
AWARD ANNOUNCEMENTS	August 2022
GRANT PERIOD START DATE	On or after October 1, 2022
END DATE	September 2023

Given this AGF process's competitive nature, all questions posed regarding this AGF must be submitted in writing to John Fabiano at john.fabiano@mass.gov by April 6, 2022. No questions may be asked regarding the merits of a particular proposal. All questions submitted and answers provided will be posted in an attributable manner as part of the AGF information at www.mass.gov/service-details/traffic-safety-grants. This Q&A document will be posted by April 8, 2022.

IV. Budget Information

Each AGF response must include a Budget (Attachment B) that aligns with the scope of work proposed in the Funding Request (Attachment A). The categories of budget items may include personnel, fringe, indirect, consultants/contracts, equipment, travel, supplies, and other expenses related to the project. Definitions of each budget cost category are provided below.

Allowable Budget Cost Categories	Definitions and Documentation Requirements
Personnel Costs	<ul style="list-style-type: none"> Full or part-time regular salaried employees working on the grant. Overtime Costs (see OGR related policy below).
Fringe Benefit Costs	Eligible costs include the <u>employer share</u> of the following: Life insurance, health insurance, social security, pension, unemployment insurance, and workers' compensation insurance. Direct fringe benefits can be either actual costs or rates per employee calculated by the fiscal or human resource unit in your organization (rate computations must be included). Include a copy of the approved rate agreement in the application response.
Indirect Costs	Costs can only be shown here if the applicant has a federally approved indirect cost rate. If the applicant's accounting system permits, costs may be allocated to the applicable direct cost category in the budget, including the category "other" if the costs identified do not fit into one specific direct cost category. Include a copy of the rate agreement in the application response.
Consultants/Contract Costs	Consultant or contractor fees. The maximum rate for consultants is \$650 for an eight-hour day or \$81.25 per hour (excluding travel and subsistence costs). Any request for compensation over \$650 per day or \$81.25 per hour requires prior written approval by OGR. This rate is the exception, not the rule.
Equipment Costs	Tangible non-expendable personal property having a useful life of more than one year; cost based on classification of equipment. Must be directly related to the program implementation.
Travel Costs	Travel directly related to the purpose of the grant. In-state travel costs associated with the grant shall include mileage rates, not in excess of \$0.585 per mile , as well as the actual costs of tolls and parking. No grant funds may be spent for out-of-state conference fees, out-of-state travel, or out-of-state lodging without prior written approval from OGR.
Supplies	Supplies required for the program (pens, pencils, postage, training materials, copying paper, and other expendable items such as books, ink, etc.).
Other Costs	Items (e.g., telephone costs, training material costs)

Match

Non-Executive Office of Public Safety and Security state agency subrecipients must provide a minimum 20% match of the total project cost (e.g., if the total project cost is \$100,000, OGR will provide up to \$80,000 and the state agency must provide at least \$20,000 as match). Match may be (state, not federal) funding directly provided by the subrecipient for the project and/or (state, not federal) resources provided by the subrecipient that directly benefit the project.

The match must be:

- An allowable expense(s) per this AGF
- Incurred during the same period as the project
- Auditable and documentable expenditures

The source and match amount must be detailed in the applicant's application (section #11) and reported monthly, along with project expenditures, to OGR.

The match expenses may not be utilized as match for any other federally funded project.

For more information on what constitutes match, please review 2 CFR Part 200.306 (Cost sharing or matching).

Office of Grants and Research Overtime Policy

This policy applies to all subrecipients and contractors that receive a Federal grant award from the OGR.

- Allowable overtime cost must be consistent with:
 - Title 2 CFR Part 200- UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, §200.430 Compensation—personal services
 - NHTSA rules and regulations
 - OGR, local, and state policies

State and local first responders eligible through their department for **backfill and/or overtime costs** (and pre-approved by OGR) may be reimbursed for backfill and/or overtime costs **related to grant-funded activities ONLY**.

Overtime hours charged against a federal grant award provided by OGR may only seek reimbursement for **actual hours worked** regardless of union contract rules. For example, an officer working one hour of overtime on a federally funded project awarded by OGR is **prohibited** from **charging the grant award for 4 hours of overtime** due to a union contract. A department that must allow for this will need to cover the remaining 3 hours of overtime from their own state or local budget. Departments found violating this policy will be subject to immediate termination of a grant award and must return all misspent funds to OGR.

Definitions:

For this overtime policy, definitions for the key terms referenced within are listed below:

- *Overtime*-Expenses are limited to the additional costs resulting from state and local first responders such as sworn law enforcement personnel working over and above their weekly full-time/part-time schedule as a direct result of their approved performance activities related to the project receiving federal funding.
- *Backfill-related Overtime* - Expenses are limited to overtime costs resulting from personnel working overtime (as identified above) to perform the duties of other personnel temporarily assigned to an approved grant activity outside of their core responsibilities.
- *Subrecipient* - An entity receiving a grant award from OGR.
- *First Responder* - State or local law enforcement, fire services, emergency medical services, emergency management, health care, hazardous materials, public safety communications, public health, public works, and government administrative type employees. ***Note: each federal award has different criteria for the type of individual allowed to be reimbursed for overtime costs. Please reference your specific grant application or OGR point of contact to determine qualifying personnel for overtime.***

If awarded to utilize grant funding for overtime costs, OGR staff will provide additional criteria and reporting forms at the time of award for use in justifying and supporting such reimbursement costs charged against the grant.

Other Personnel Cost Information:

- Compensation for full-time officers will be reimbursed at their regular overtime pay rates established by the department and/or municipality. Holiday rates of pay may be used, if applicable.
- Part-time or auxiliary officers who have attended an approved MPTC Reserve/Intermittent Academy will be reimbursed at their normal pay rate.
- Subrecipients will be reimbursed only for hours worked performing authorized grant-funded activities.
- Command staff may participate in and be compensated for enforcement details if acting in a traffic enforcement role rather than acting exclusively in a supervisory role overseeing officers engaged in traffic enforcement. Supervisor time associated with OGR-authorized sobriety checkpoints will be allowed.

Equipment

Proposed equipment purchases (including software-related expenses) and the costs to put these assets to use (i.e., delivery, installation, etc.) must be included in the agency's application and budget. An agency must justify the need within the application for any equipment items being requested and describe how the equipment will be used to benefit the overall grant program. Agencies must also provide information regarding their current inventory for these equipment items to justify such needs further. Purchases of \$5,000 or over will require separate NHTSA approval and must align with the Buy America Act (49 USC 5323(j)). More information on this act can be found in Addendum 5 of OGR's General Subrecipient Grant Conditions.

Unallowable Costs

- Any costs not specifically allowed in the Final Rule 23 CFR Part 1300
- Traffic Records-related costs
- Some examples of common unallowable expenses include food or beverages for programming, training, conferences, or staff meetings
- Prizes/rewards/entertainment/trinkets (or any type of monetary incentive)
- Standard firearms or ammunition
- Construction, office furniture, or other like purchases
- Vehicles, including insurance and/or leasing costs
- Luxury items
- Real estate

Supplanting of funds is prohibited. Supplanting includes: (a.) replacing routine and/or existing state or local allocations with federal grant funds and/or (b.) using federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of the state, local, or federally-recognized Indian tribal governments. Funds for programs and services provided through this grant are intended to supplement, not supplant, state, or local funding sources.

V. Application Review Process

This is a competitive grant and will be subject to a peer-review process. Reviewers will look for complete and comprehensive responses to the questions posed in the application with relevant data to support the proposed project. Otherwise, applications will be deemed incomplete and will not be funded.

Complete applications will be reviewed and scored by three peer reviewers based on the following criteria:

Element	Maximum Points
Problem identification supported by recent state data	25
The proposed activities are clearly explained and justified. Current subrecipients should provide recent data that shows effectiveness to justify support for continued funding of the same project.	25
Identify realistic and measurable goals and objectives with a viable evaluation plan.	25
The budget narrative is reasonable and cost-effective. It describes and justifies the need for each line item cost. Excel attachment is complete, and costs appear to be the overall best value for the Commonwealth.	25
Maximum Score	100

VI. Award Information

- Awards will be based on each proposal's strengths as determined by the above scoring process and the overall value to the Commonwealth.
- Notification of awards is expected to be made during August 2022.
- The grant award period will vary depending on the program scope of work, timeline, and funds availability.
- Funding decisions are at the discretion of the OGR Executive Director and the Secretary of Public Safety and Security.
- All awards will be subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.
- Award subrecipients must accept their awards no later than 30 days from the award date. Failure to accept a grant award within the 30-day timeframe may result in a loss of funds.
- Subrecipients are expected to initiate program activities within 90 days of accepting the award unless there are extenuating circumstances. The subrecipient is responsible for reporting such circumstances to OGR.

Funds Disbursement

This is a cost-reimbursement grant. State agencies will draw down funds through the Massachusetts Management Accounting and Reporting System (MMARS). Organizations that are not part of the MMARS system will submit monthly reimbursement requests to OGR.

Pre-Agreement Cost

Pre-agreement costs are not allowable. Any costs incurred prior to the approved start date will not be reimbursed.

VII. Post-Award Requirements

Based on OGR's efforts to utilize federal funds in the most efficient and effective manner, increase program participation, and administer funds with fairness to all participating subrecipients, an agency's eligibility to receive future NHTSA grant funding from OGR will be based on an evaluation of prior years' performance (if applicable). This evaluation may be based on the following criteria:

- Performance against goals/benchmarks stated in the original application
- Meeting outcome and deliverable requirements
- Timely submission of required reports
- Satisfactory OGR Site Visit reports
- Unspent funding rate

Funding is subject to appropriation and is contingent upon compliance with all grant conditions and eligibility requirements. If the federal government determines that a subrecipient agency does not comply with federal eligibility requirements, OGR will not provide alternative funding sources. It is the obligation of the subrecipient agency to ensure compliance with all eligibility requirements.

All subrecipients who are law enforcement agencies receiving any state or federal grant award from OGR will be required to participate and submit case-specific information on officer-administration of Narcan/Naloxone using a reporting tool as determined by EOPSS.

Grant Compliance and Conditions

State Agencies will have specific grant conditions embedded into the Interdepartmental Service Agreements. A copy of the conditions document can be downloaded from <https://www.mass.gov/service-details/traffic-safety-grants>. The document does not need to be signed and submitted with the application. However, applicants should thoroughly review the conditions prior to applying for funds.

Reporting and Recordkeeping

- All subrecipients must submit monthly to OGR approved Programmatic Activity, Match (if applicable), and Financial Expenditure Reports.
- Reports are due no later than fifteen (15) days after the end of the current month.
- A subrecipient may request an extension of a report's due date in certain circumstances and within reason. OGR must authorize this request before the late submission of the report.
- Each subrecipient's required report contents may vary, depending on the program's needs.
- Individuals working on grant-funded activities may not sign off on the Expenditure Reports. Additionally, an authorized signatory may not sign off on the Expenditure Report if it involves their spouse, child, sibling, or another person that may cause a conflict of interest.
- With 48 hours' notice, a site visit may be conducted of grant records at departments.
- All subrecipients must comply with the Federal Funding Accountability and Transparency Act (FFATA). Compliance only requires subrecipients to submit the required information to OGR in the FFATA form included in the application package. OGR will enter all required information to the FFATA Subaward Reporting System (FSRS) to meet the federal reporting requirements. The blank form is available at <https://www.mass.gov/service-details/traffic-safety-grants>
- In addition to the requirements set forth above, subrecipients will be required to agree to and abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and federal funding management.
- Subrecipients must submit a Final Narrative Report no later than fifteen (15) days after the grant period's termination. The report must summarize accomplishments, challenges, and progress towards meeting measurable goals, as stated in the application.
- Failure to comply with reporting requirements may result in non-reimbursement of funds or suspension of the grant award.

- No agency may begin grant activities until the awarded funds are loaded into MMARS and available to the agency. Agencies not part of the MMARS system must receive official written notification from OGR to commence grant activities.
 - *No costs incurred before funds are loaded into MMARS or before the agency receives written notification will be reimbursed.*
 - *No costs incurred after the grant award terminates will be reimbursed.*
- All goods and services must be provided, and all program activities must be completed no later than the termination date of the grant period.

Risk-Assessment and Compliance Monitoring

- All subrecipients are subject to compliance monitoring.
- If OGR perceives issues relating to any of the requirements above, appropriate action will occur, including, but not limited to, a site visit, file reviews, and suspension of funding.
- Subrecipients that do not observe reporting deadlines, submit incomplete reports, fail to follow the timeline promised in the grant application, or engage in other practices not in keeping with grant requirements will be at risk for losing OGR grant funding and be ineligible for future OGR grant funding.
- All awardees will be expected to begin services within 90 days of a contract or ISA being executed unless reasons are clearly stated in monthly reporting.

OGR reserves the right to discuss and modify any program or budget elements with applicants prior to final award selection.

VIII. Submission Process and Deadline

Application Deadline – April 21, 2022.

OGR is only accepting electronically submitted application packets in PDF format. Application packets must be submitted to john.fabiano@mass.gov by the deadline and include the following documents:

- Funding Request – AGF Attachment A
- Budget Summary and Detail Worksheet – AGF Attachment B
- Federally approved fringe/indirect rate documentation, if applicable
- OGR Subrecipient Risk Assessment Form
- Organization’s Seat Belt Policy, but only if a non-Executive branch entity
- Organization’s Overtime Policy, if applicable

Incomplete packets may be disqualified.

Electronic versions of the Funding Request (Attachment A), Budget Summary and Detail Worksheet (Attachment B), and all other required documents are available at www.mass.gov/service-details/traffic-safety-grants.

Acceptable Forms of Signature for the Application

OGR will accept signatures executed by an authorized signatory in any of the following ways:

1. Traditional “wet signature” (ink on paper);
2. Electronic signature that is either:
 - a. Hand drawn using a mouse or finger if working from a touch screen device; or
 - b. An uploaded picture of the signatory’s hand-drawn signature
3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory’s name and title, and must be accompanied by a signature date.

Please be advised that typed text of a name not generated by a digital tool such as Adobe Sign or DocuSign, even in computer-generated cursive script, or an electronic symbol, are not acceptable forms of electronic signature.